

OCT 16 2006

# KRIEG · DEVAULT LLP

## ATTORNEYS AT LAW

### FAX COVER PAGE

DATE: October 16, 2006

PAGES INCLUDING THIS PAGE: 15

TO: Examiner Paul B. Prebille  
COMPANY: Group Art Unit 3738FAX NUMBER: 571-273-8300  
PHONE NUMBER:

FROM: Douglas A. Collier

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FAX NUMBER: (317) 636-1507

RE: Response to Final Office Action for U.S. Patent Application No. 10/624,981 to Thomas A. Zdeblick

COMMENTS: I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office at 571-273-8300 on:

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PTO/SB/21 (08-04)

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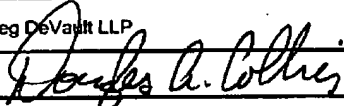
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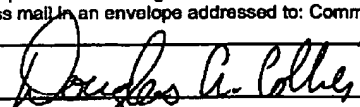
<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/624,981	
	Filing Date	July 22, 2003	
	First Named Inventor	Thomas A. Zdeblick, et al.	
	Art Unit	3738	
	Examiner Name	Paul B. Prebille	
Total Number of Pages in This Submission	14	Attorney Docket Number	MSDI-168/PC568.02

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input checked="" type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Facsimile Cover Sheet
Remarks		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Krieg DeVault LLP		
Signature			
Printed name	Douglas A. Collier		
Date	October 16, 2006	Reg. No.	43,558

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Signature			
Typed or printed name	Douglas A. Collier	Date	October 16, 2006

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent	)	
application of:	)	Before the Examiner:
Thomas A. Zdeblick et al.	)	Paul B. Prebilio
	)	
Serial No. 10/624,981	)	Group Art Unit:
	)	3738
Filed: July 22, 2003	)	
	)	Oct. 16, 2006
SPINAL IMPLANTS AND TOOL FOR	)	
INSERTION AND REVISION	)	Atty Docket No. MSDI-168/PC566.02

**RESPONSE TO FINAL OFFICE ACTION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the final office action mailed August 15, 2006, please consider the following. No fees or extensions of time are believed necessary for consideration of the enclosed. However, please provide any extensions of time which may be necessary and charge any fees due to Deposit Account 12-2424, but not including the payment of issue fees.

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Name of Registered Representative  
*Douglas A. Collier*  
Signature

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Response to Final Office Action  
Ser. No. 10/624,981  
Atty Docket No. MSDI-168/PC566.02  
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